

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.03 N, Closed Area No. 18-C, Mere Point Neck, Brunswick, promulgated on January 31, 1995, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 N, Closed Area No. 18-C, Mere Point Neck, Brunswick and Birch Island, Harpswell

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats, and waters of the following areas:

1. Inside and easterly of a line on the western shore of Birch Island, Harpswell, beginning 1000 feet south of Birch Island Landing and extending northeasterly, following the low tide mark, to 1000 feet north of Birch Island Landing, AND
2. From April 15 through October 31, inside and westerly of a line beginning at the southern end of Windemere Road on Merepoint Neck, Brunswick, and extending easterly to the north tip of Gallows Island, Harpswell, then extending northeasterly to the northwestern tip of Birch Island, Harpswell, then continuing northwesterly to the northern end of Blackstone Road, approximately 2000 feet northeast of Paul's Marina, on Merepoint Neck, Brunswick.

Violation of any provision of this regulation shall be a Class D Crime(12 M.R.S.A. Section 6204)

EFFECTIVE DATE: October 17, 2002

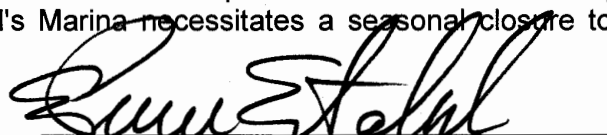
AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
McKown Point Road
West Boothbay Harbor, ME 04575

THE TIMES RECORD
October 21, 2002

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 N, Closed Area No. 18-C, Mere Point, Brunswick, promulgated on January 31, 1995 and enacts a new regulation. The new regulation reduces the closure on Birch Island, Harpswell and enlarges the conditional marina area around Paul's Marina, Brunswick.

Department personnel have determined that most of the area is no longer subject to intermittent microbial pollution and that harvesting of clams, quahogs, oysters, mussels can be permitted in the just opened portion without threat to the public health. The threat of potential microbial pollution in the vicinity of Paul's Marina necessitates a seasonal closure to protect public health.


E. PENN ESTABROOK
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

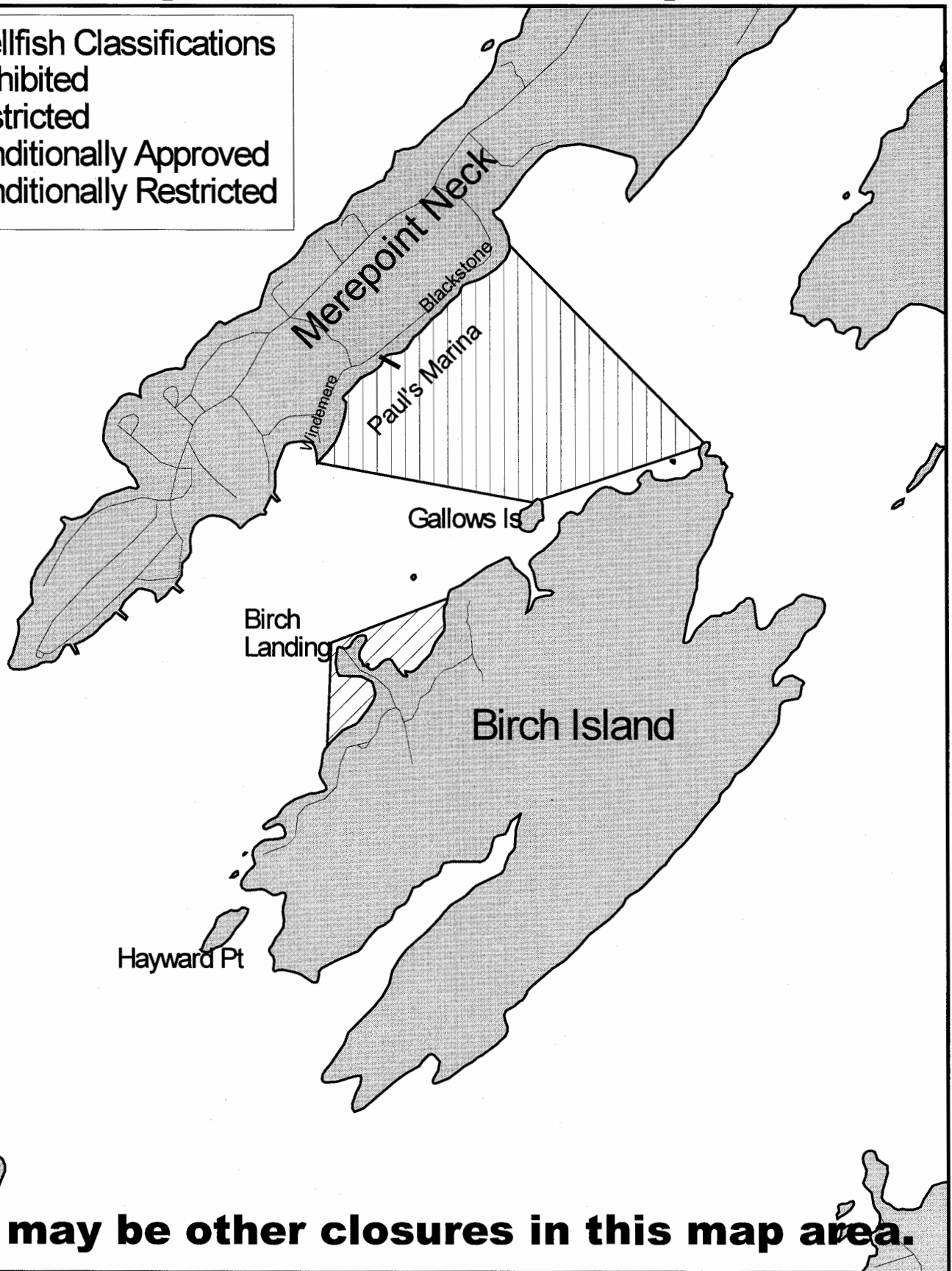
10/17/02

C18C Merepoint, Brunswick & Birch Is, Harpswell



2002 Shellfish Classifications

	Prohibited
	Restricted
	Conditionally Approved
	Conditionally Restricted



There may be other closures in this map area.

0.3 0 0.3 0.6 Miles